



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

October 2, 2003

IN REPLY PLEASE
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION OF STORM DRAIN EASEMENTS
WEST OF MC BEAN PARKWAY - SANTA CLARITA
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that the public service easements for storm drain purposes and appurtenant structures are no longer required for public use and that they may be vacated under the authority of Section 5400 of the California Health and Safety Code.
3. Find that:
 - a. Pursuant to Section 8333(b) of the California Streets and Highways Code, the date of dedication or acquisition is less than five years and more than one year, immediately preceding the proposed vacation, and the easements have not been used continuously since that date.
 - b. Pursuant to Section 8333(c) of the California Streets and Highways Code, the easements have been superseded by relocation and there are no other public facilities located within the easements.

4. Find that the easements for storm drain purposes and appurtenant structures to be vacated are no longer needed for present or prospective public use.
5. Adopt the enclosed Resolution of Summary Vacation to vacate the easements, for storm drain purposes and appurtenant structures, west of McBean Parkway, as described in Exhibit "A" and as shown on the map in Exhibit "B" of the Resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Sikand Engineering, on behalf of Montalvo Properties, LLC, et al., the underlying fee title holders, requested adoption of the enclosed Resolution to remove from the record excess public service easements for storm drain purposes and appurtenant structures within their property.

The construction of Private Drain No. 2545, a requirement of tentative Tract Nos. 51644 and 52455-01, rendered the existing drainage facilities within the proposed vacation area unnecessary. Existing drainage culverts were removed and relocated in conjunction with Private Drain No. 2545. The vacation of the storm drain easements will not have a negative impact on any other property in the area.

It is in the County's interest to vacate these easements since they no longer serve the purpose for which they were dedicated. With this action, your Board will vacate the easements the County and the public no longer need.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the storm drain easements will result in added revenue through assessment and taxation, eliminate unnecessary maintenance cost, and remove possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the easements will not have a negative fiscal impact on the County budget. A fee of \$1,500 was paid by the petitioner to finance the cost of the vacation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 24,880 square feet and are shown on the map (Exhibit "B") included with the Resolution.

The County's interests were acquired as easements for storm drain purposes and appurtenant structures by dedication in Document No. 99-1109874, recorded on June 16, 1999, in the office of the Recorder of the County of Los Angeles.

The California Health and Safety Code, the Public Streets and Highways Code, and the Service Easement Vacation Law allow your Board to relinquish the County's interest voluntarily to terminate the rights of the public and to dispose of excess County right of way. Your action on the Resolution will result in the property being unencumbered of the public easements, thereby allowing the underlying fee owners to exercise their reversionary rights over the areas vacated.

ENVIRONMENTAL DOCUMENTATION

With respect to requirements of CEQA, this proposed vacation is categorically exempt as specified in Class 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Regional Planning Commission has determined that the proposed vacation does not conflict with the County-adopted General Plan.

CONCLUSION

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation to Vacate Storm Drain Easements, approved as to form by County Counsel. Upon adoption of the Resolution, please return the executed original and a copy to Public Works for further processing. Public Works will record the Resolution and return the executed original Resolution to your Board when recorded. In the interim, please retain one executed copy for your files.

The Honorable Board of Supervisors
October 2, 2003
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One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:bw
P5:2498B.DOC

cc: Chief Administrative Office
County Counsel

**DRAINAGE EASEMENT
COPPER HILL DRIVE
AMB 2810-001 and 159
T.G. 4460 F/4
I.M. 279-117
S.D. 5
M0388110**

EXHIBIT "A"

Legal Description for Proposed Drainage Easement Vacation

Parcels 8, 9, 10, and 11, as shown in deed to the County of Los Angeles, recorded as Instrument No. 99-1109874, on June 16, 1999, of Official Records, in the office of the Recorder of said County.

Containing: 24,880± square feet

Description Approved

JAMES A. NOYES
Director of Public Works

By _____
Deputy

RVM:sl
MP-5\Leg rvm1

RECORDING REQUESTED AND
MAIL TO:

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
P.O. Box 1460
Alhambra, CA 91802-1460

Attn: Mapping & Property Mgmt. Div.
R/W Engineering Section
(Chris Cristobal)

Space above this line Reserved for

Recorder's use

THIS DOCUMENT WAS RECORDED BY THE COUNTY OF
LOS ANGELES PURSUANT TO SECTION 27383 OF THE
GOVERNMENT CODE

RESOLUTION OF SUMMARY VACATION

TO VACATE STORM DRAIN EASEMENTS

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that the portions of real property dedicated to the County of Los Angeles as easements for storm drain purposes and appurtenant structures, legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which rights of way are located in the unincorporated County area, vicinity of Santa Clarita, in the County of Los Angeles, State of California, are no longer needed for present or prospective public use based upon the following facts: (1) that the date of dedication or acquisition is less than five years and more than one year, immediately preceding the proposed vacation, and the easements have not been used continuously since that date; and (2) that the easements have been superseded by relocation and there are no other public facilities located within the easements.

BE IT FURTHER RESOLVED that the public service easements for storm drain purposes and appurtenant structures in, over, and across the rights of way legally described in Exhibit "A" attached hereto are hereby vacated pursuant to Section 5400 of the Health and Safety Code of the State of California and Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the areas vacated will no longer be public service easements.

The foregoing Resolution was on the _____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

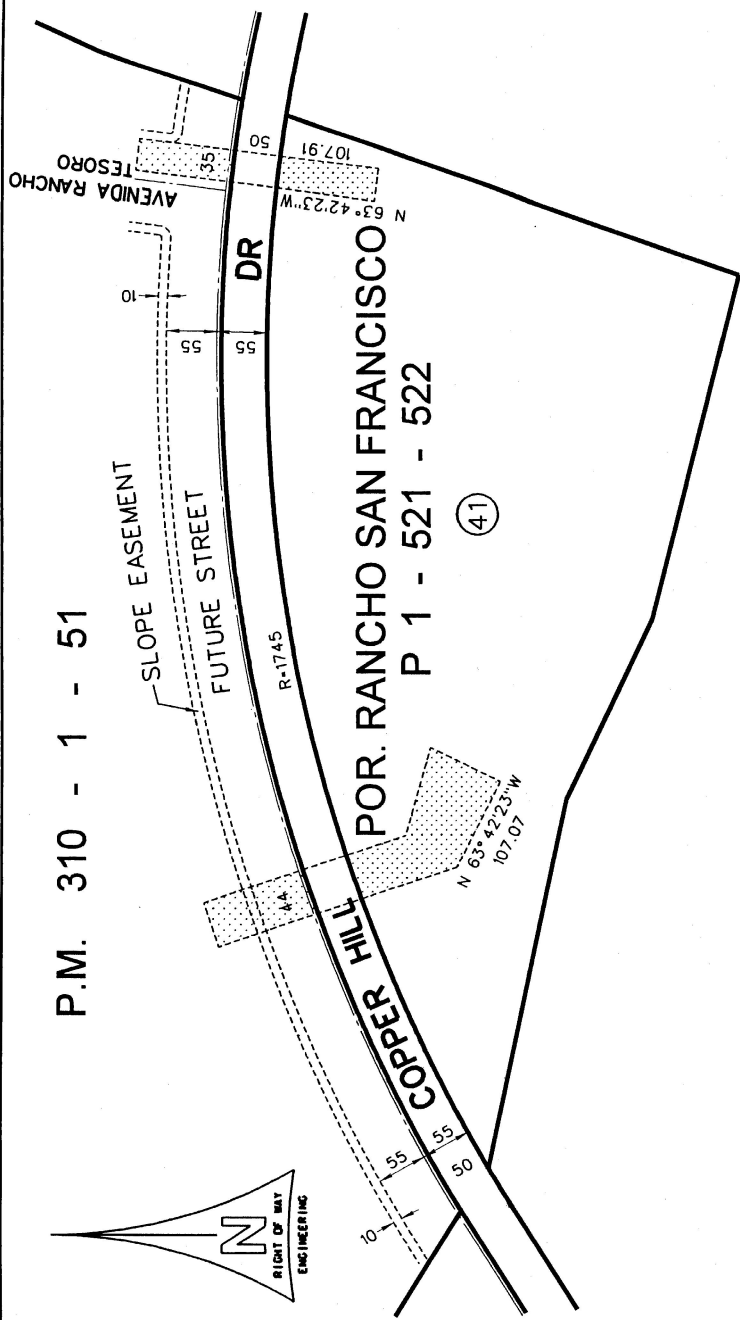
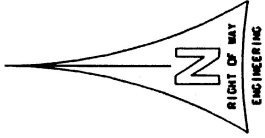
VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:
LLOYD W. PELLMAN
County Counsel

by _____
Deputy

By _____
Deputy

P.M. 310 - 1 - 51



SUBJECT
LOCATION

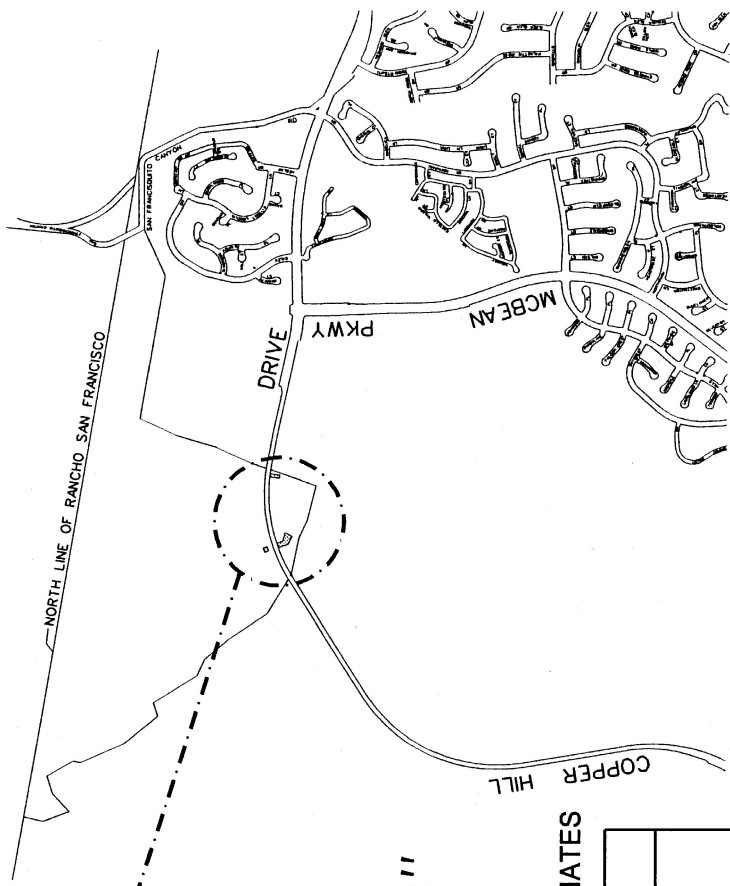


EXHIBIT "B"

APPLICANT:
SIKAND ENGINEERING ASSOCIATES

LEGEND	
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 Proposed Vacation
Area = 24,880± Sq. Ft.

REVISIONS		1.	2.	3.
DEPARTMENT OF PUBLIC WORKS		MAPPING & PROPERTY MANAGEMENT DIVISION		
S.D. 5	R.D. 556	A.M.B. 2810-001-041 3244-159-004	T.G. 4460 F/4	DRAINAGE EASEMENT COPPER HILL DRIVE W/O MC BEAN PARKWAY
SCALE NONE	DATE 2/02/03	I.M. 62 A/1 (279-117)	DRAWING NO. M0388110	

**DRAINAGE EASEMENT
COPPER HILL DRIVE
AMB 2810-001 and 159
T.G. 4460 F/4
I.M. 279-117
S.D. 5
M0388110**

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JAMES A. NOYES
Director of Public Works

By _____
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